

Exhibit 15

DECLARATION OF DR. MARIA GUADALUPE JAIME-MILEHAM

I, Dr. Maria Guadalupe Jaime-Mileham, declare under the penalty of perjury pursuant to 28 U.S.C. § 1746 that the following is true and correct:

1. I am the Deputy Director of the California Department of Social Services, Child Care and Development Division. I have personal knowledge of the facts set forth in this declaration, and if required to testify, would and could competently do so.

2. I submit this Declaration in support of the States' Motion for a Preliminary Injunction.

Professional Background

3. I have been the Deputy Director of the California Department of Social Services, Child Care and Development Division since January 2021. Prior to joining the California Department of Social Services, I served as the Senior Director for Early Childhood Education for the Fresno County Superintendent Schools since 2014. I was Deputy Director of the Central Valley Children's Services Network from 2009 to 2014, Adjunct Infant Toddler Instructor for the West Education Partners for Quality Infant and Toddler Caregiving from 2009 to 2014, and Subsidized Manager for the Central Valley Children's Services Network from 2001 to 2009. I am a member of the Early Childhood Policy Council, the National Association for Young Children, and the County Offices of Education Program Administration of Child Development. I hold a Doctor of Education degree from California State University, Fresno and a Master of Education Degree from National University. One of my duties in my current role is to provide oversight of the California Head Start Collaboration Office. I also serve as a Child Care Development Fund Administrator.

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The California Department of Social Services

4. The mission of the California Department of Social Services is to serve, protect, and support the people of California experiencing need in ways that empower well-being and disrupt systemic inequities.

5. The headquarters of the California Department of Social Services is located at 744 P Street, Sacramento CA, 95814, with several departmental offices throughout the state. The Department comprises close to 6,000 employees who are responsible for the oversight and administration of programs serving California's most vulnerable residents. Programs and services overseen and administered by the Department encompass cash assistance to eligible families; food benefits; child care and development programs, housing assistance and supportive services; child welfare services; support for individuals with disabilities; assistance for refugees, immigrants, and noncitizens; licensing and oversight of community care facilities for adults and seniors, group homes, and child care facilities; adult protective services; and assistance to disaster victims.

6. Since 2021, the California Department of Social Services has administered the California Head Start Collaboration Office (CHSCO) grant funded by the Office of Head Start (OHS) under the Administration for Children and Families (ACF) within the U.S. Department of Health and Human Services (HHS).

7. Congress established the CHSCO grant to “facilitate collaboration among Head Start agencies ... and entities that carry out activities designed to benefit low-income children from birth to school entry, and their families.” 42 U.S.C. § 9837b. The CHSCO provides a structure and a process for the OHS to work and partner with state agencies to leverage their common efforts in support of young children and their families to formulate, implement, and

improve state and local policies and practices. In addition, the CHSCO is key in promoting parent choice to select the early care and education providers that best meet the family's needs for their children.

8. The CHSCO conducts needs assessments to assess and identify the current needs of Head Start programs in CA with respect to collaboration, coordination, and alignment of services between state and local entities that carry out activities designed to benefit Head Start children and families. Additionally, the CHSCO monitors and responds to common questions about the federal Head Start Act and Head Start Program Performance Standards and their alignment with state initiatives that impact coordination of services. More recently, the CHSCO has responded to questions and challenges resulting from the significant changes in policy and operations by HHS in the administration of Head Start grants since January 2025.

The Head Start Program and Eligibility Criteria

9. The Head Start Program, founded in 1965, was designed to help break the cycle of poverty, by providing young children from families with low incomes a comprehensive program to meet their emotional, social, health, nutritional, and educational needs. A key tenet of the program is that it be culturally responsive to the communities served, and that the communities have an investment in its success through the contribution of volunteer hours and other donations as non-federal share.

10. In addition to providing high quality child care and early childhood education, Head Start programs connect children and families, including expectant families, to wraparound social services and supports. Head Start programs integrate state benefit programs to provide children with meals and snacks during the school day, as well as connect families with needed

resources including housing support, health and mental health services, and adult education and career assistance.

11. Head Start programs include Early Head Start programs for infants, toddlers, and expectant families and Head Start Preschool programs for primarily 3- and 4-year-old children. In addition, Head Start includes American Indian and Alaska Native (AIAN) Head Start programs and Migrant and Seasonal Head Start (MSHS) programs serving farmworker families.

12. In 2023-24, California's 100 direct Head Start regional recipients served over 80,345 children and families at 1,842 individual site locations, not including Family Child Care Homes. Additionally, there were 13 direct AIAN recipients in California serving over 680 children and families at 25 site locations, and seven MSHS recipients serving over 6,330 children and families. As of March 2025, California's direct recipients received over \$1.5 billion in local federal funding including AIAN and MSHS programs in over 120 direct grants. These direct contracts are funded to serve over 23,400 Early Head Start children in over 854 site locations and over 47,800 Head Start Preschool children in over 1,410 site locations.

13. The Head Start Act (42 U.S.C. § 9801 et. seq.) outlines eligibility criteria for pregnant women and children. It is primarily based on income, but also includes children in foster care, experiencing homelessness, and those from families receiving public assistance. Specific program types like Migrant or Seasonal Head Start, and those serving American Indian and Alaska Native populations, may have additional criteria. Since the Head Start program began 60 years ago, immigration status has never been a criterion for program eligibility. (Eligibility verification is detailed in Head Start Performance Standards § 1302.12.)

14. The Head Start Act (42 U.S.C. § 9801 et. seq.) states that a child who has been determined to meet the eligibility criteria and is participating in a program year is considered to

meet the eligibility criteria through the end of the succeeding program year. This means that no child should be disenrolled until they age out of the Head Start program.

15. When a caregiver wants to enroll a child in a Head Start program, the caregiver completes the enrollment application (either in person at the Head Start center by interview, or online or on paper). Each application is scored based on need and then when it is time to conduct the selection to fill a vacancy at the program the highest scored application is selected, based on the age group where the opening is available.

16. Selection criteria are annually established by programs pursuant to Head Start Program Performance Standards § 1302.14. Such criteria weigh the prioritization of selection of participants based on community needs, including prevalent social or economic factors, challenges, and barriers experienced by families and children, identified in the community needs assessment as described in § 1302.11(b) of the Head Start Program Performance Standards.

17. If a program serves migrant and seasonal families, it must annually establish selection criteria that weigh the prioritization of selection of participants based on community needs identified in the community needs assessment and give priority to children whose families can demonstrate they have relocated frequently within the past two-years to pursue agricultural work. California also prioritizes children in migrant agricultural families in solely state-funded child care and development programs.

18. Further, a Head Start program must ensure that at least 10 percent of its total actual enrollment is filled by children eligible for services under the Individuals with Disabilities Education Act (IDEA). California also prioritizes certain children eligible for services under IDEA in solely state funded child care and development programs.

The HHS PROWRA Notice

19. I am providing this declaration to explain the impact of a Notice issued by HHS on July 10, 2025, entitled “Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (PRWORA); Interpretation of ‘Federal Public Benefit’” (the “HHS PRWORA Notice”). In the Notice, HHS has classified Head Start programs as providing “Federal public benefit[s],” under U.S.C. § 1611(c). The Notice was published in the Federal Register on July 14, 2025, and became immediately effective, without allowing for a public comment period before implementation. In the Notice, HHS rejects an interpretation of PRWORA that has been in place since 1998, which permitted Head Start programs to be accessible to income-eligible families regardless of immigration status.

20. HHS provided “a partial benefit-cost analysis,” focusing on Head Start “as an illustrative case.” HHS states, “a primary estimate of \$374 million in annual effects representing incremental expenditures on U.S. citizens and qualified aliens” and “a full range of estimated expenditure effects between \$184 million and \$1,881 million, capturing uncertainty in the baseline share of program beneficiaries who are U.S. citizens and qualified aliens.”

21. I write here to document the impacts of the HHS PRWORA Notice on California’s Head Start programs.

Predicted Harms of the HHS PRWORA Notice to California’s Head Start Program

22. Implementation of the HHS PRWORA Notice is likely to result in declined enrollment, risking Head Start funding to local grant recipients; to have chilling effects on applicants and participants in the program; and to create significant administrative and financial burdens for CDSS as well as local Head Start recipients.

Decline in HeadStart Enrollment and Chilling Effect

23. Implementation of the HHS PRWORA Notice is likely to result in an overall decline in enrollment in Head Start programs, which may lead to a reduction, or termination of funding for Head Start programs throughout California. This would significantly harm children and their families as it would cut off access to comprehensive services. To maintain funding, Head Start programs are required enroll 100 percent of their funded enrollment and maintain an active waiting list at all times. If enrollment falls below 97 percent for four consecutive months, programs are designated as Chronically Underenrolled and monitored by the Office of Head Start. If not resolved, actions could include recapturing, withholding, or reducing the annual funding and funded enrollment.

24. Eliminating the use of Head Start funds in any way that benefits undocumented children or families will have dramatic effects on Head Start programs in California. Many children and families that benefit from Head Start services live at or below the federal poverty line and face constant financial and mental health stressors. If Head Start providers in California cannot access funds unless they identify and exclude families based on immigration status, Head Start programs will risk closure. Because Head Start is a critical safety net for entire communities, with Head Start being a large employer in some rural communities, the ripple effects into the community at large will also be significant. In 2023-24, Head Start programs in California employed more than 25,261 total staff members, of whom more than 4,679 were current or former Head Start or Early Head Start parents.

25. The Notice is also likely to create a chilling effect, where families may withdraw from the program because they are missing documentation to prove their eligibility based on immigration status or out of fear of being targeted, even if their children would qualify for

service. If enrollment in Head Start programs is conditioned on the immigration status requirements of PRWORA, even those families whose immigration status meets those requirements may choose to no longer participate in the Head Start program and instead turn to other subsidized childcare programs

26. If children and families in California's Head Start programs were to be displaced, it would exacerbate existing disparities and have profound and lasting effects on the children and families who rely on Head Start services. It would also place increased pressure on other programs, including state-funded programs. Children would lose educational, nutritional, and healthcare services. Parents or guardians may be forced to cut spending on other critical needs to fill the gaps, and some may even be forced out of work so they can care for their children. The long-term impacts to the development, health, academic, and professional success of children participating in Head Start services would also be significant.

Administrative and Financial Burdens

27. Head Start providers do not have sufficient staff or resources to create and operationalize a system for verify immigration status; and the HHS PRWORA Notice did not provide guidance on how to implement the new requirements or what documentation would be sufficient for verification. Since the publication of the HHS PRWORA Notice several Head Start providers have contacted the CHSCO expressing confusion and seeking guidance on how to interpret the new requirements.

28. Implementation of the HHS PRWORA Notice would impose a dual burden on Head Start recipients, necessitating the development and administration of training and technical assistance and changes to management and data systems for staff at the local level to comply with the Notice's requirements. Any changes needed for additional resources required to

implement the collection and verification of immigration status, could result in a reduction of funded slots and services to children and families.

29. In addition to teaching staff, Head Start providers employ more than 25,261 staff, including more than 4,679 current and former Head Start and Early Head Start parents, family service support staff, and fiscal and program management leadership in staff. Additionally, providers employ home visitors (carrying caseloads of around 10-12 families each) and coordinators for the comprehensive delivery of services in the areas of special needs services, health, nutrition, mental health, family services, and education. Across California, Head Start providers are operating at full capacity and the implementation of the HHS PRWORA Notice places significant additional demands on program staff. Implementing a collection and verification system would divert educator and/or administrator time to meet with families and collect information and documents.

30. The HHS PRWORA Notice estimated “annual costs of \$21 million in the opportunity cost of time spent by individuals seeking benefits to document eligibility and time spent by individuals reviewing program eligibility.” It is not clear how California or any Head Start program could verify the immigration status of applicants to Head Start, whatever the cost, given how stretched current Head Start staff are and the limited resources and guidance to support such implementation. Immigration status is a very complex set of laws, and Head Start programs are not equipped to verify eligibility based on immigration status.


31. Head Start programs operate with very limited and tightly planned budgets - some programs cannot even withstand a few days without funding. The implementation of HHS PRWORA Notice will further destabilize programs and negatively impact the well-being of children, families, and entire communities. If Head Start programs cannot access funds from

HHS unless they identify and exclude children and families based on immigration status, they will be forced to close. This will mean that the over 71,200 families in California who make use of these critical programs, some of the most vulnerable members of our communities, will no longer have access to these programs whether or not they are qualified aliens, lawful permanent residents, or citizens, and will likely have to join waiting lists for state child care and development programs.

31. In addition, to serve more children and families with high-quality early care and learning opportunities and build a foundation for health and stability, California supplements Head Start funding with other investments in young children and families. Many child care and development and state preschool programs layer Head Start funding with state and local child care and development program funds. Many children benefiting from Head Start services rely on critical programs that help meet their families' basic needs, like the Supplemental Nutrition Assistance Program and Medicaid. This interconnected web of resources, early care and education programs, and related supports is threatened when one program is eliminated or fundamentally altered, as the HHS PRWORA Notice does with HeadStart.

7/18/25

Date:


Dr. Maria Guadalupe Jaime-Mileham